

United States Court of Appeals
For The Eighth Circuit
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TO: Mr. Michael Kiel Kaiser
CC: Ms. Liza J. Brown
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Mr. Lee Curry
Ms. Stephanie Mazzanti
Mr. Marcus O. Millsap

FROM: Britny N. Williams

DATE: November 07, 2023

RE: 23-2396 United States v. Marcus Millsap

Your brief in the above-case has been received. In reviewing the brief for filing, we noted the deficiencies shown below. Your brief cannot be filed until the defects are corrected. Please correct these defects within five days and resubmit the brief electronically for final review and processing. See 8th Cir. R. 28A(b). If the resubmitted brief passes review, you will receive a Notice of Docket Activity informing you that the brief has been filed. Upon receipt of this notice, you have five days to submit the paper copies of the brief and addendum required by 8th Cir. R. 28A(d) and (g)(4). Please contact us if you have any questions.

 X All pages prior to the jurisdictional statement do not count towards the word count of the brief and should be numbered using lowercase Roman numerals. The jurisdictional page counts towards the word count of the brief and should be numbered using Arabic numeral 1.

 X BRIEF FORMAT IS INCORRECT. See FRAP 32(a). Please correct the certificate of compliance by removing the 1300-line count and reduce the brief to 13,000 words to comply with the rules.

 X Pursuant to the Plan to Expedite Criminal Appeals, all references to the district court record must be in the format provided in Eighth Circuit Rule 28A(j). Transcript references should be to Volume and page number (TR., Vol. 1, p. 123). **Please change R. Doc. 1009 to Motion TR. followed by the page number.**

Again, your brief cannot be filed until you correct these defects. Failure to correct them may result in the issuance of an order to show cause why the appeal should not be dismissed (for appellant's opening brief) or why you should not be barred from filing the brief (for briefs other than appellant's opening brief). Thank you for your prompt attention to this matter. If you have any questions, please feel free to contact us.